

FAX RECEIVED

OCT 27 2006

OFFICE OF PETITIONS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: William G. Wilhelm  
SERIAL NO.: 10/779,291  
FILED: February 13, 2004  
EXAMINER: Philogene; Haissa  
GROUP ART UNIT: 2821  
TITLE: REMOTE CONTROL OF ELECTRONIC BALLAST,  
etc.

RENEWED PETITION UNDER 37 CFR 1.97 and 1.98 WITHDRAW CASE  
FROM ISSUE TO SUBMIT A REFERENCE FROM A RELATED FOREIGN  
PATENT APPLICATION

Mail Stop Petition  
Commissioner for Patents  
Box 1450  
Alexandria VA 22313-1450

Dear Sir:

Applicant petitions to withdraw the above entitled application from issue to file a previously uncited reference cited in a foreign Patent Office.

Applicant submits a further Information Disclosure Statement with copy of two additional references disclosed in a related European patent application.

Please deduct the small entity fee of \$395.00 to file a Request for Continued Examination After a Notice of Allowance from Applicant's attorney's Deposit Account 23-0120.

10/30/2006 CKHLOK 00000002 230120 10779291

01 FC:1464 130.00 DA

The above identified application was allowed on July 23, 2006, the issue fee was paid on September 21, 2006.

This case is requested to be withdrawn from issue.

Applicant petitions under 37 CFR 313, 37 CFR 1.97 and 1.98 to submit a further Information Disclosure Statement revealing a reference disclosed in a related European patent application number EP02737178. The references are US Patent Number 6,118,228 of Pal et al and US Patent Number 5,471,119 of Raganath et al.

Applicant requests that the issue fee previously paid on September 21, 2006 be applied to any subsequent allowance.

Respectfully submitted,

Dated: October 27, 2006



Alfred M. Walker  
Attorney for Applicant  
Reg. No. 29,983

225 Old Country Road  
Melville, New York 11747  
(631) 361-8737

## CERTIFICATE OF TRANSMISSION

I hereby certify that the attached correspondence is being facsimile transmitted to the USPTO, Office of Petitions, 571-273-0025 on the date indicated below.

October 27, 2006

  
\_\_\_\_\_  
Alfred Walker

P.O./SB/17 (07-06)

Approved for use through 01/31/2007, OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2006**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

525

Application Number 10/779,291

Filing Date Feb. 13, 2004

First Named Inventor William G. Wilhelm

Examiner Name Haissa Philogene

Art Unit 2821

Attorney Docket No. 240204 Nextek Ballast Con

Complete if Known **FAX RECEIVED**

OCT 27 2006

OFFICE OF PETITIONS

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 23-0120 Deposit Account Name: Alfred M. Walker

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Fee (\$)

Small Entity Fee (\$)

50

25

Each independent claim over 3 (including Reissues)

200

100

Multiple dependent claims

360

180

Total Claims Extra Claims Fee (\$)

Fee Paid (\$)

- 20 or HP =

x

=

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$)

Fee Paid (\$)

- 3 or HP =

x

=

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

Fee Paid (\$)

- 100 =

/ 50 =

(round up to a whole number) x

=

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Fees Paid (\$)

Other (e.g., late filing surcharge): Petition Fee of \$130 and RCE fee (small entity) of \$395

\$525

**SUBMITTED BY**

Signature	<i>Alfred M. Walker</i>	Registration No. (Attorney/Agent)	29,983	Telephone	631-361-8737
Name (Print/Type)	Alfred M. Walker	Date	October 27, 2006		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	ISSUE DATE	PATENT NO.	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,291	10/31/2006	7129651	NEXTEK-BALLAST-CON	7429

4988 7590 10/11/2006

ALFRED M. WALKER  
225 OLD COUNTRY ROAD  
MELVILLE, NY 11747-2712

## ISSUE NOTIFICATION

The projected patent number and issue date are specified above.

**Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)**  
(application filed on or after May 29, 2000)

The Patent Term Adjustment is 0 day(s). Any patent to issue from the above-identified application will include an indication of the adjustment on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571) 272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

APPLICANT(S) (up to 18 names are included below, see PAIR WEB site <http://pair.uspto.gov> for additional applicants):

William George Wilhelm, Riverhead, NY;